

## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79133708
LAW OFFICE ASSIGNED	LAW OFFICE 106
MARK SECTION (no change)	
ARGUMENT(S)	
<p>The following remarks are submitted in response to the Office Action dated January 31, 2014, in connection with the above-referenced application.</p> <p><b><u>Cited Registration</u></b></p> <p>The Examining Attorney has cited U.S. Registration No. 3,538,565 against applicant's mark because it is believed that the marks are confusingly similar.</p> <p>As the Section 8 Declaration has not been filed by registrant and is due to be filed by November 25, 2014, Applicant requests that its application be suspended for six-months.</p> <p><b><u>Summary and Conclusion</u></b></p> <p>If the Examining Attorney has any questions or requires any further information, the Examining Attorney is encouraged to telephone the undersigned at the indicated telephone number.</p>	
NEW ATTORNEY SECTION	
NAME	Andrew H. Simpson
FIRM NAME	Knobbe, Martens, Olson & Bear, LLP
INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER	MKLAW1.001IUS
STREET	2040 Main Street, 14th Floor
CITY	Irvine
STATE	California
ZIP/POSTAL CODE	92614
COUNTRY	United States
PHONE	949 760 0404

<b>FAX</b>	949 7609502
<b>EMAIL</b>	efiling@knobbe.com
<b>AUTHORIZED EMAIL COMMUNICATION</b>	Yes
<b>CORRESPONDENCE SECTION</b>	
<b>ORIGINAL ADDRESS</b>	Macpherson + Kelley 40-42 Scott Street DANDENONG VIC 3175 AU
<b>NEW CORRESPONDENCE SECTION</b>	
<b>NAME</b>	Andrew H. Simpson
<b>FIRM NAME</b>	Knobbe, Martens, Olson & Bear, LLP
<b>INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER</b>	MKLAW1.001IUS
<b>STREET</b>	2040 Main Street, 14th Floor
<b>CITY</b>	Irvine
<b>STATE</b>	California
<b>ZIP/POSTAL CODE</b>	92614
<b>COUNTRY</b>	United States
<b>PHONE</b>	949 760 0404
<b>FAX</b>	949 7609502
<b>EMAIL</b>	efiling@knobbe.com
<b>AUTHORIZED EMAIL COMMUNICATION</b>	Yes
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/Andrew H. Simpson/
<b>SIGNATORY'S NAME</b>	Andrew H. Simpson
<b>SIGNATORY'S POSITION</b>	Attorney of record, California bar member
<b>SIGNATORY'S PHONE NUMBER</b>	949 760 0404
<b>DATE SIGNED</b>	07/31/2014
<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	NO
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Thu Jul 31 18:10:16 EDT 2014

**TEAS STAMP**

USPTO/RFR-173.227.19.32-2  
0140731181016336110-79133  
708-5009dff34d16d23e27aee  
f1e2bde549b3fd3652404d32f  
296319366a7dbc8e450-N/A-N  
/A-20140731175227816590

PTO Form 1930 (Rev 9/2007)  
OMB No. 0651-0050 (Exp. 05/31/2014)

## **Request for Reconsideration after Final Action To the Commissioner for Trademarks:**

Application serial no. **79133708** has been amended as follows:

### **ARGUMENT(S)**

**In response to the substantive refusal(s), please note the following:**

The following remarks are submitted in response to the Office Action dated January 31, 2014, in connection with the above-referenced application.

### **Cited Registration**

The Examining Attorney has cited U.S. Registration No. 3,538,565 against applicant's mark because it is believed that the marks are confusingly similar.

As the Section 8 Declaration has not been filed by registrant and is due to be filed by November 25, 2014, Applicant requests that its application be suspended for six-months.

### **Summary and Conclusion**

If the Examining Attorney has any questions or requires any further information, the Examining Attorney is encouraged to telephone the undersigned at the indicated telephone number.

### **ATTORNEY ADDRESS**

Applicant proposes to amend the following:

#### **Proposed:**

Andrew H. Simpson of Knobbe, Martens, Olson & Bear, LLP, having an address of  
2040 Main Street, 14th Floor Irvine, California 92614

United States

efiling@knobbe.com

949 760 0404

949 7609502

The attorney docket/reference number is MKLAW1.001IUS.

**CORRESPONDENCE ADDRESS CHANGE**

Applicant proposes to amend the following:

**Current:**

Macpherson + Kelley  
40-42 Scott Street  
DANDENONG VIC 3175  
AU

**Proposed:**

Andrew H. Simpson of Knobbe, Martens, Olson & Bear, LLP, having an address of  
2040 Main Street, 14th Floor Irvine, California 92614  
United States  
efiling@knobbe.com  
949 760 0404  
949 7609502  
The attorney docket/reference number is MKLAW1.001IUS.

**SIGNATURE(S)****Request for Reconsideration Signature**

Signature: /Andrew H. Simpson/ Date: 07/31/2014  
Signatory's Name: Andrew H. Simpson  
Signatory's Position: Attorney of record, California bar member

Signatory's Phone Number: 949 760 0404

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Mailing Address: Andrew H. Simpson  
Knobbe, Martens, Olson & Bear, LLP  
2040 Main Street, 14th Floor  
Irvine, California 92614

Serial Number: 79133708  
Internet Transmission Date: Thu Jul 31 18:10:16 EDT 2014  
TEAS Stamp: USPTO/RFR-173.227.19.32-2014073118101633  
6110-79133708-5009dff34d16d23e27aeef1e2b

de549b3fd3652404d32f296319366a7dbc8e450-  
N/A-N/A-20140731175227816590